

vulnerable to—Russian energy and will be an economic blow to Ukraine, Putin saw that he wouldn't be challenged.

This is a crisis of Putin's making, but we didn't get here overnight. Waiving sanctions in Nord Stream 2 is one of the many missed opportunities to signal strength against Putin. We first saw Russia amassing troops on Ukraine's border last April. Yet here we are, roughly 10 months later, scrambling to deliver lethal defensive military aid.

The Biden administration has been too slow to respond to the mounting crisis and is now playing catchup. Exhibit A is that the administration just this Monday named its pick to serve as Ambassador to Ukraine. Of all the times to have a top diplomat in a country to prove that we are taking its situation seriously and to coordinate assistance, this is it. This follows a year of the administration slow-rolling assistance to Ukraine and seemingly springing to action only after the United Kingdom and others began overtly equipping Ukraine.

It is essential that we present a credible threat to Putin, but, unfortunately, I think he has pegged our President as a benign counterpart. Putin can look at America and see an unpopular President as risk-averse and spinning his wheels on a polarizing and flailing domestic agenda, not to mention that he can look at President Biden's botched withdrawal from Afghanistan and the risk to our defense modernization efforts from another continuing resolution and conclude that Democrats and the President pose little threat to Russia's ambitions.

Given the Biden administration's record, I have concerns about the President's willingness to stand up to Russia, but I very much hope these concerns are unfounded. We simply cannot afford to fail in this situation.

This is Ukraine's fight, but the implications of an attack will go far beyond its borders. We cannot accept that one nation can simply attack and subjugate another. And we cannot be so naive to think that Russia would stop with an invasion of Ukraine. The bear would still be in the woods, and Putin would love nothing more than to challenge or break the credibility of NATO or the United States. We cannot accept that scenario or allow Russia to dictate our own security posture with respect to NATO.

The only way to reject that future is by standing with our partners and staring down Putin's open aggression. Shoring up our NATO presence and putting troops on high alert are steps in the right direction. I am sure Ukraine currently feels surrounded and outgunned, but we need to make clear to Ukraine and to Vladimir Putin that Ukraine is not alone; that the free nations of the West will stand with Ukraine against Russian aggression and that the United States will make good on its NATO commitments.

I yield the floor.

## RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until 12:30 p.m.

Thereupon, the Senate, at 11:06 a.m., recessed until 12:30 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

## EXECUTIVE CALENDAR—Continued

### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 496, Alexandra Baker, of New Jersey, to be a Deputy Under Secretary of Defense.

Charles E. Schumer, Jack Reed, Richard Blumenthal, Catherine Cortez Masto, Sheldon Whitehouse, Richard J. Durbin, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Gary C. Peters, Chris Van Hollen.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Alexandra Baker, of New Jersey, to be a Deputy Under Secretary of Defense, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND), the Senator from New Mexico (Mr. LUJÁN), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), and the Senator from North Dakota (Mr. HOEVEN).

The yeas and nays resulted—yeas 70, nays 24, as follows:

[Rollcall Vote No. 33 Ex.]

### YEAS—70

Baldwin	Graham	Murkowski
Bennet	Grassley	Murphy
Blumenthal	Hassan	Murray
Blunt	Heinrich	Ossoff
Booker	Hickenlooper	Padilla
Brown	Hirono	Peters
Burr	Hyde-Smith	Portman
Cantwell	Inhofe	Reed
Capito	Kaine	Risch
Cardin	Kelly	Rosen
Carper	Kennedy	Rounds
Casey	King	Sasse
Collins	Klobuchar	Schumer
Coons	Leahy	Shaheen
Cornyn	Lee	Shelby
Cortez Masto	Manchin	Sinema
Crapo	Markey	Smith
Duckworth	McConnell	Stabenow
Durbin	Menendez	Sullivan
Feinstein	Merkley	Tester

Thune  
Tillis  
Van Hollen  
Warner

Warnock  
Warren  
Whitehouse  
Wicker

Wyden  
Young

### NAYS—24

Barrasso  
Blackburn  
Boozman  
Braun  
Cassidy  
Cotton  
Cruz  
Ernst

Fischer  
Hagerty  
Hawley  
Johnson  
Lankford  
Lummis  
Marshall  
Moran

Paul  
Romney  
Rubio  
Schatz  
Scott (FL)  
Scott (SC)  
Toomey  
Tuberville

### NOT VOTING—6

Cramer  
Daines

Gillibrand  
Hoeven

Luján  
Sanders

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 70, the nays are 24.

The motion is agreed to.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 673, Reta Jo Lewis, of Georgia, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2025.

Charles E. Schumer, Sherrod Brown, Christopher Murphy, Jeff Merkley, Jack Reed, Ben Ray Lujan, Christopher A. Coons, Chris Van Hollen, Benjamin L. Cardin, Amy Klobuchar, Tammy Baldwin, Tim Kaine, Patrick J. Leahy, Jeanne Shaheen, Edward J. Markey, Debbie Stabenow, Martin Heinrich.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Reta Jo Lewis, of Georgia, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2025, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from New Mexico (Mr. LUJÁN), are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from South Carolina (Mr. GRAHAM), and the Senator from North Dakota (Mr. HOEVEN).

Further, if present and voting, the Senator from South Carolina (Mr. GRAHAM) would have voted "yea" and the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 54, nays 39, as follows:

[Rollcall Vote No. 34 Ex.]

## YEAS—54

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Romney
Blumenthal	Kaine	Rosen
Blunt	Kelly	Sanders
Booker	Kennedy	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Feinstein	Padilla	Whitehouse
Hassan	Peters	Wicker
Heinrich	Portman	Wyden

## NAYS—39

Barrasso	Hagerty	Risch
Blackburn	Hawley	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cornyn	Lee	Shelby
Cotton	Lummis	Sullivan
Crapo	Marshall	Thune
Cruz	McConnell	Tillis
Ernst	Moran	Toomey
Fischer	Murkowski	Tuberville
Grassley	Paul	Young

## NOT VOTING—7

Burr	Gillibrand	Luján
Cramer	Graham	
Daines	Hoeven	

The PRESIDING OFFICER (Mr. VAN HOLLEN). On this vote the yeas are 54, and the nays are 39.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Reta Jo Lewis, of Georgia, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2025.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 654, Leonard Philip Stark, of Delaware, to be United States Circuit Judge for the Federal Circuit.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Gary C. Peters, Robert P. Casey, Jr., Sheldon Whitehouse, Martin Heinrich, Sherrod Brown, Patty Murray, Tammy Duckworth, Tim Kaine, Elizabeth Warren, Mazie Hirono, Alex Padilla, Tina Smith, Christopher A. Coons, Amy Klobuchar, Jon Tester.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Leonard Philip Stark, of Delaware, to be United States Circuit Judge for

the Federal Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND), the Senator from Maine (Mr. KING), the Senator from New Mexico (Mr. LUJÁN), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from South Carolina (Mr. GRAHAM), the Senator from North Dakota (Mr. HOEVEN), the Senator from Louisiana (Mr. KENNEDY), the Senator from South Dakota (Mr. ROUNDS), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 54, nays 33, as follows:

[Rollcall Vote No. 35 Ex.]

## YEAS—54

Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Romney
Booker	Hirono	Rosen
Brown	Kaine	Schatz
Cantwell	Kelly	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Tillis
Cornyn	Murkowski	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Feinstein	Padilla	Whitehouse
Grassley	Peters	Wyden

## NAYS—33

Barrasso	Hagerty	Paul
Blackburn	Hawley	Risch
Blunt	Hyde-Smith	Rubio
Boozman	Inhofe	Sasse
Braun	Johnson	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cotton	Lee	Shelby
Crapo	Lummis	Sullivan
Cruz	Marshall	Thune
Ernst	McConnell	Wicker
Fischer	Moran	Young

## NOT VOTING—13

Burr	Hoeven	Sanders
Cramer	Kennedy	Toomey
Daines	King	Tuberville
Gillibrand	Luján	
Graham	Rounds	

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 33.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Leonard Philip Stark, of Delaware, to be United States Circuit Judge for the Federal Circuit.

The PRESIDING OFFICER. The Senator from Delaware.

## NOMINATION OF LEONARD PHILIP STARK

Mr. CARPER. Mr. President, we just had a vote, and the vote—Mr. President, would you mind repeating the margin on that vote. Do you have that handy?

The PRESIDING OFFICER. Fifty-four to thirty-three.

Mr. CARPER. Fifty-four to thirty-three. In baseball, we are hoping there is going to be a settlement in the baseball dispute right now between labor and management. But, in baseball, you have some games that go extra innings, but at the end of the game, somebody wins and somebody loses. I like to say the team that wins gets a "w."

Well, we just had a "w" in favor of, in support of, the nomination of Leonard Stark to serve on the U.S. Court of Appeals for the Federal Circuit—not just a win for him, for his family; not just a win for Delaware, where he is from; not just a win for the colleges and universities he has gone to, the places that he has worked, that he has practiced law, served as a judge; but this is a win for our country. This is a win for our country. I am honored today to rise in support of his nomination to serve on the U.S. Court of Appeals.

The Presiding Officer from time to time will see me on the floor passing out what we call palm cards—he has probably passed out a few of his own—to our colleagues asking them to join him—join me—in cosponsoring legislation, supporting amendments, supporting bills on the floor.

For the last day or two, I have been passing out palm cards to our Republican colleagues, asking them to support the nomination of Leonard Stark to serve on this court. As grateful as I am for all the Democrats and at least one or two Independents who voted for him, I want to also express my thanks—our thanks—to the Republicans who crossed the aisle and saw fit to support his nomination.

I am not sure how much our colleagues here in the Senate know about the U.S. Court of Appeals. I would be the first to admit that I had to do some homework on it myself. But this court is best known—may be best known for its decisions on patent law. That is right—patent law. In fact, it is the only appellate court, I am told, other than the U.S. Supreme Court that will hear and consider patent case appeals.

But despite my needing to do a little homework on the U.S. Court of Appeals for the Federal Circuit, I do know a great deal about Judge Leonard Stark. In fact, I have known him for probably half of his life—for half of his life. I have admired him for every one of those years.

He has been nominated by our President to serve in this critical role in this important court. I have had the chance to follow his nomination, along with Senator COONS of Delaware, through the Judiciary Committee process, and I am confident that Judge Stark's judicial experience and his expertise, particularly—particularly—in